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Testimony House Judiciary Committee Hearing:  
Victims of Violent Crimes  
William J. Green Jr. Federal Building, Philadelphia, PA  
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Good morning, Chairman Jordan, Ranking Member Nadler, and members of the U.S. House Judiciary Committee. Thank you for visiting Philadelphia to learn more about how you can make our community and others across the country safer.

My name is Adam Garber, and I have the honor of serving as CeaseFirePA's Executive Director, the Commonwealth's gun violence prevention organization. For more than twenty years, we've worked with faith leaders, doctors, nurses, survivors, veterans, law enforcement and gun owners to ensure everyone can live free from gun violence, where they feel and are safe. Our team includes gun owners who believe responsible gun ownership and gun safety laws go hand in hand. It includes survivors of this crisis, doctors who've treated wounds in City emergency rooms, and faith leaders who've counseled families at the worst moment in their lives. As the Commonwealth's only statewide group, we work with communities impacted from gun violence, lift up the voices of doctors, veterans, teachers, and community members, and advocate for life-saving solutions supported by the majority of Pennsylvanians.

For almost 17 years, I've made my home in Philadelphia. I live in South Philadelphia's Point Breeze neighborhood, which experiences a significant amount of violence. I ride SEPTA nearly every day, often with my five-year-old child, as we commute to school or visit the city's amazing parks, museums, and places.

#### GUN VIOLENCE IN PHILADELPHIA

We all know gun violence has devastated Philadelphia. In the last few years, more than 1,000 residents have died from gunfire—thousands more are living with the physical damage of a bullet wound. The emotional impact extends further. CeaseFirePA's [survey](#) during the pandemic found more than half of youth witnessed gun violence at least once—and 88% worried for the safety of their family and friends.

The general perception remains violence is driven by criminal activity and drugs, but the evidence tells a very different story. Wanting to understand the escalating violence during the pandemic, City of Philadelphia departments, including law enforcement, public health, courts and other critical public safety systems, comprehensively reviewed [more than 2,000 shootings](#). Arguments were the most commonly identified shooting motive, accounting for over 50% of all shootings. Drug trafficking was only at 18%.



This aligns with what we know about widespread firearms access. It can turn everyday interpersonal conflict into fatal incidents. This includes simple arguments on [SEPTA buses](#), while [sitting in a car](#), and in a very sad, Philadelphia incident—while waiting [for a cheesesteak](#) in 2021.

Social media further amplifies conflict, especially among the City's youth. Beefs over girls, life, and small or perceived slights, quickly take on their own life. This amplification has helped make gun violence the #1 killer of Pennsylvania children—and indictment of our society.

This same crisis is playing out in other communities throughout the Commonwealth—even at higher rates. In 2022, the City of York had a higher homicide rate per capita than Philadelphia (40.9 compared to 34.3).<sup>1 2</sup>

Rural communities face a quiet, but maybe deadlier, firearm suicide crisis as well. The Pennsylvania counties [with the highest gun death rates per capita](#) over the last five years are Philadelphia— then Wayne and Carbon counties in Northeast PA, and then Bedford in Southwest Pennsylvania. While that's not the focus of today's hearing—I must urge Congress to provide the same attention to the firearm suicide crisis as it does to homicides and community violence.

It is clear that everyone, regardless of political affiliation or geography, has a vested interest in doing all that we can to address gun violence in our Commonwealth. Similar, if not more troubling, data appears in many of the states you represent as well.

#### Violence Decreasing in Last Year

If Congress had held this hearing a year ago in Philadelphia, we might still be discussing how to get this crisis under control. But in 2023, something shifted. Gun homicides dropped [22% in Philadelphia](#). Non-fatal shootings dropped even more (29%). This trend has continued into 2024. As of last week, homicides dropped 34% compared to the 2023 pace—and shooting victims were down 44%. That's an astounding drop that could see Philadelphia have less than 300 homicides in 2024 if it continues.

Meanwhile, [the violence on our public transit system](#), SEPTA, has seen similar drops with a 25% decrease in aggravated assaults and a stunning two-thirds fall in robberies in 2024 compared to the same time period last year.

Even this much violence is tragic. The suffering for the families who lost someone in 2023 is like everyone who has felt the touch of this crisis. It lasts a lifetime, and one life is too many to lose. But we are losing fewer lives than the heights of 2022 and have hope violence will continue to fall.

#### Driving the Decrease

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<sup>1</sup> York had 18 homicides in [2022](#) with a population of 44,000 for a homicide rate of 40.9 per capita.

<sup>2</sup> CDC Wonder, <https://wonder.cdc.gov/controller/saved/D157/D390F050>

Three things that have driven this stunning decrease. First, the pandemic receded, reducing the emotional and mental strain of a different public health crisis. We were all on edge—and when in crisis, anguish can turn into conflict, and it can turn deadly when firearms are present, as revealed by the analysis of shootings.

Second, gun sales have begun to subside. There were more than 4 million firearms transfers from 2020-2022 in Pennsylvania—potentially enough firearms for 40% of all adults in the Commonwealth. Guns flooded our streets and it became easier than ever to get access to firearms. That stunning increase in firearm sales, more than ever before in PA, made it easier for youth, prohibited purchasers and others to get their hands on firearms by stealing them, straw purchases, the black market, and other methods. And this excludes the rising challenge presented by ghost guns.

Lastly, and most importantly, thanks to the American Rescue Plan, the Bipartisan Safer Communities Act, and state-level funding, there was a historic investment in community-based violence prevention programs.

These efforts recognize that addressing economic hardships, developing conflict resolution skills, and intervening before and after a shooting can save lives. They often work with those most at risk of committing gun violence, such as youth who've been involved in the criminal justice system and are often later involved in violence. They identify conflicts at the community level, including gang violence and other interpersonal conflicts, and as trusted messengers, de-escalate it before it becomes violent. They help victims recover after a shooting, stopping retaliations and providing critical grief and trauma support. Statewide, more than \$200 million has been given to district attorneys, local law enforcement, and nonprofits to address this crisis. At least \$75 million has gone to Philadelphia.

Hospital-based violence prevention programs, like the one at Temple Hospital which sees more shootings than any other in the City, help victims of gun violence recover. Through connections with social service programs, trauma counseling, and wrap-around efforts after the physical healing nears the end, these programs prevent retaliation.

Programs like Frontline Dads and the City's Gun Violence Intervention Program work with the small percentage of individuals most likely to be involved in shootings—less than 1% of a population is responsible for 70% of shootings, according to research. In 2023, the groups they worked with saw a 38% reduction in shootings per week—and groups who saw at least two engagements saw a 50% decrease.<sup>3</sup> Rydell Martin, a participant in the program, shared that “this program saved my life.” The program helps individuals shift the pathway of their life by connecting them to social services and employment

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<sup>3</sup> Palmer, Niyah. “The City's Group Violence Intervention Program Saves Lives and Influences Cities Worldwide | Office of Policy and Strategic Initiatives for Criminal Justice and Public Safety.” Phila.gov, 15 December 2023, <https://www.phila.gov/2023-12-15-the-citys-group-violence-intervention-program-saves-lives-and-influences-cities-worldwide/>. Accessed 30 April 2024.

opportunities and provides counseling to reduce conflict. Such efforts also identify hotspots before a shooting and de-escalate it.

And organizations like EMIR Healing Center, provide trauma support to victims of homicides and violent crimes. By bringing resources to victims of gun violence, rebuilding social bonds and supporting Black men exposed to gun violence in Northwest Philadelphia, they are using a research-based approach and their relationships in the community to prevent shootings.

These are just a few of the programs funded in Philadelphia through bipartisan support of state and local funding for community-centered violence prevention programs. Similar efforts are being conducted throughout Philadelphia and in other cities.

### **GUN SAFETY LAWS CAN SAVE LIVES**

Still, we must do more to address this crisis—and the power to act rests with this Committee, Congress, the PA General Assembly, and with our local officials. When I hear a story on the news about gun violence, my first thoughts are simple. Where did the gun come from? Could we close a hole in our public safety system that allowed someone to access it?

The answer is, in most cases, a resounding yes. There are multiple opportunities for popular, bipartisan gun safety policies to prevent a shooting before it happens—rather than wait until afterward to punish an offender. Three gun safety laws have already passed the Pennsylvania House of Representatives with bipartisan support: Universal Background Checks, Extreme Risk Protection Orders, and banning ghost guns. Each has overwhelming public support at levels any elected official would find an enviable win ratio in an election.

Even when the Commonwealth's laws are quite strong, such as our background check system, which covers all sales except the private sale of a long gun, we are at the mercy of states with weaker laws. Guns regularly flow through an iron pipeline from the south, up I-95, and into our communities, where they cause carnage. Federal action is necessary to prevent this.

Today, I will highlight three prominent examples of how gaps in the safety system enable violent crimes in the Philadelphia area—and throughout Pennsylvania. Unfortunately, while Philadelphia elected officials would like to enact many of these safeguards, they are prohibited from doing so by state preemption laws—leaving residents at the mercy of action by the General Assembly and Congress.

### **Ghost Guns Are Fatal As Real Guns**

Ghost Guns are the Ikea of firearms. You can order mostly built firearms online and, in less than an hour, with common household tools, have a firearm as deadly as any gun you'd buy at a dealer. The two differences: you can buy it without a background check, and it lacks a serial number. Those two factors make it harder to keep out of the hands of individuals who want to harm others, including known violent

offenders and gun traffickers, and harder for law enforcement to track down perpetrators because the guns are untraceable by law enforcement.

Two of the firearms seized at the recent mass shooting at the end of EID [were ghost guns](#). In October of 2023, a ghost gun was used in the [carjacking and murder](#) of a 65-year-old man in the Philadelphia suburb of Upper Darby. A ghost gun was [pointed at police](#) as they responded to a mass shooting on South Street that left three dead and 11 injured. In September of 2022, a 14-year-old [killed rec center worker](#) Tiffany Fletcher as the teen tried to shoot another teenager at the center. A high school student in Montgomery County who was found in possession of a loaded ghost gun [at a high school football game](#) in August of 2023, and in a [tragic double shooting](#) involving a ghost gun in Delaware County a 15-year-old gunman who opened fire inside of a convenience store just last month.

It's become a lucrative business for some gun traffickers. In Bucks County, the DA [arrested someone](#) who had been completing and selling ghost guns. The DA said he had more guns than they'd seen in recent memory. In Montgomery County, a [trio was making a profit](#) by turning ghost gun kits into firearms and then selling them.

Ghost gun recoveries increased 410% in Philadelphia between 2019 and 2021. And that has led the Pennsylvania House of Representatives to act. After a Bucks County community was forced to shelter in place during a murder with a ghost gun last month, the House passed legislation to address these deadly weapons.

Ordering a ghost gun was as easy as ordering a recorder for my kid. And that should terrify everyone because one is about making joyous music and the other can kill.

A few weeks ago, legislation to treat ghost guns like other firearms passed with bipartisan support, including Rep. Martina White, the former head of the Philadelphia GOP and Majority Caucus Secretary. House Bill 777 would simply require a background check and serialization of the mostly complete firearms before their sale—leaving individuals who can pass the background check the choice to build their own firearms still.

### Stolen Firearms

A second pathway guns take to violent crimes is stolen guns—as well as firearms that are claimed to be stolen. As Cambria County's DA recently told WTAJ, ““There are lots of stolen guns floating around,” Greg Neugebauer, Cambria County's District Attorney. They show up on crime scenes on a very regular basis.”

Stolen guns rose in conjunction with rising violence, climbing 38% [between 2019 and 2021](#).<sup>4</sup> And many of them showed up at violent crimes and homicides. They may be stolen out of unsecured cars or from homes. At other times, they aren't really stolen—but rather, that claim makes it harder for law enforcement to address firearm trafficking. A study by the Pittsburgh Police found that one-third of owners claimed firearms were stolen after they were recovered at a crime scene—but never reported them missing.

Responsible firearm owners report missing firearms. It's the irresponsible ones and those intent on trafficking guns, that do not. Unfortunately, there is no current requirement for someone to report a firearm missing on noticing it's gone. And in this case, that means it can end up in the hands of someone who intends to harm others.

That's what happened in the case of Kareem, Jean Garcia's [son, in Allentown](#). As she testified last year, a couple trafficked dozens of weapons into an Allentown gang war. Police continued to show up to that couple's home, only to be told that the guns were lost or stolen—and had never been reported. After discovering her son murdered in his bed, Jeani was forced to become a detective to understand how this had happened. She eventually discovered that the couple had trafficked those weapons—and the police could do little to address it because of the loophole in the law that allowed individuals to sell guns without a license. If it had been closed, her son might be alive.<sup>5</sup>

York Police Commissioner Muldrow said it best last year at the same hearing, "[such a policy](#) is not meant to force lawful gun owners to know where every one of their guns are at all times. However, such a policy would enable law enforcement to better distinguish between those who were genuine victims of theft and those who are willfully engaging in gun trafficking."

### Extreme Risk Protection Orders

Extreme Risk Protection Orders are a tool designed to temporarily remove someone's access to firearms if they pose a clear public safety risk to themselves or others, as determined by a court. While often used to prevent firearm suicide, they also have the ability to save lives from mass shootings, domestic violence, and other violent crimes.

A study found that 75% of ERPOs filed in just the first 15 months of Oregon's ERPO law involved interpersonal violence.<sup>6</sup> Similarly, over half of filings in California included risk of interpersonal violence. These laws, which include protections of due process, allow action by law enforcement before a violent

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<sup>4</sup> "A rising tide of stolen guns helps fuel Philadelphia's gun violence epidemic." *Philadelphia Inquirer*, 23 December 2021, <https://www.inquirer.com/news/stolen-guns-philadelphia-violence-20211223.html>. Accessed 29 April 2024.

<sup>5</sup> Garcia, Jeani. "His life would have been beautiful right now." Deadly by Design, CeaseFirePA Education Fund, 2023, <https://www.deadlybydesign.org/video/jeani-garcia/>. Accessed 29 April 2024.

<sup>6</sup> Zeoli AM, Paruk J, Branas CC, Carter PM, Cunningham R, Heinze J, & Webster DW. (2021). Use of extreme risk protection orders to reduce gun violence in Oregon. *Criminology & Public Policy*.

act with clear judicial guidance to protect citizens' rights, rather than forcing them to wait after someone is injured to act.<sup>7</sup>

Similarly, Extreme Risk Protection Orders can be used to prevent mass shootings. In an examination of more than 6,800 ERPOs across six states, 10% involved threats to kill at least three people. Judges graded the vast majority (84%) of final orders issued for threats of mass violence.<sup>8</sup>

According to a poll by the Republican firm GS Strategy Group in 2022, 80% of Pennsylvanians support Extreme Risk Protection Orders— including significant majority support from Republicans, gun owners and identified Conservatives.<sup>9</sup>

### CRIME GUN SOURCING

Imagine if health inspectors didn't inspect your favorite restaurant for years, even a decade. What would happen? You'd be much more likely to get food poisoning or find rats. Not because the owners are trying to poison you, but because inspectors help ensure everyone follows safety guidelines. Imagine the entire industry had the same experience—we'd have a public health crisis.

This is the state of affairs for most gun dealers in the Commonwealth. The U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the only current inspector of firearm dealers, inspected 5 percent of all federally licensed dealers in FY21. Unsurprisingly, some dealers go over a decade without a visit. ATF acknowledges that “the lack of timely inspections presents an immediate and sustained risk to public safety.”

Many dealers will have few problems with these inspections. They work hard to ensure their weapons are not at crime scenes, even cooperating with law enforcement when suspicious purchases happen. But others thrive off a brisk trade of guns that quickly end up at crime scenes.

In Pennsylvania, the Attorney General started the Track & Trace program to help the law enforcement community work together to prevent firearm trafficking. An analysis by the Brady Campaign found that

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<sup>7</sup> Prater LC, Haviland MJ, Rivara FP, Bellenger MA, Gibb L, & Rowhani-Rahbar A. (2020). Extreme Risk Protection Orders and Persons with Dementia in the State of Washington. *Journal of General Internal Medicine*.

<sup>8</sup> Zeoli AM, Frattaroli S, Barnard L, Bowen A, Christy A, Easter M, Kapoor R, Knoepke C, Ma W, Moloczniak A, Norko M, Omaki E, Paruk JK, Pear VA, Rowhani-Rahbar A, Schleimer JP, Swanson JW, & Wintemute GJ. (2022). Extreme risk protection orders in response to threats of multiple victim/mass shooting in six U.S. states: A descriptive study. *Preventive Medicine*.

<sup>9</sup> Third Way. “Pennsylvania Voters Support Gun Safety Reforms – Third Way.” *Third Way*, 21 June 2022, <https://www.thirdway.org/polling/pennsylvania-voters-support-gun-safety-reforms>. Accessed 29 April 2024.

more than 50 percent of recovered crime guns traced to dealers in the Commonwealth came from only 1 percent of those dealers.<sup>10</sup>

ATF's limited capacity to inspect dealers and assist them in following public safety laws that keep firearms from violent individuals and domestic abusers is allowing some dealers to enable violent crime. The U.S. Congress should invest resources in the cornerstone of our public safety system to ensure only individuals who can legally purchase a gun can buy them.

## **CONCLUSION**

The number of popular, bipartisan gun safety bills extend beyond these examples. Universal Background Checks receives the support of 90% of Pennsylvanians—including 84% of gun owners and the vast majority of Republicans. The stronger background check system for under 21-year olds established by the Bipartisan Safer Communities stopped more than 500 dangerous gun purchases in the first year.

The responsibility to continue to address this crisis rests with the General Assembly and the U.S. Congress who have the ability, and responsibility, to address the firearms used in many violent crimes. Continuing funding for effective, community based programs will help prevent shootings and retaliations. Strengthening gun safety laws to keep firearms from individuals intent on doing harm, slow gun trafficking and supporting law enforcement efforts to address it, will save even more lives.

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<sup>10</sup> Brady Campaign. "UNCOVERING THE TRUTH ABOUT PENNSYLVANIA CRIME GUNS." Amazon AWS, 27 April 2022, <https://brady-static.s3.amazonaws.com/Pennsylvania-Crime-Guns-Trace-Report.pdf>. Accessed 30 April 2024.